

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Oct 01, 2019**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAYDIN LEDFORD, aka Jaydin  
Harvey Wesley Ledord,

Defendant.

NO: 2:19-CR-49-RMP

PRETRIAL ORDER AND ORDER  
MEMORIALIZING COURT'S ORAL  
RULINGS

A pretrial hearing was held in this matter on October 1, 2019. Defendant Jaydin Ledford, who is not in custody, was present and represented by Federal Defender Andrea K. George. Assistant United States Attorney Patrick J. Cashman was present on behalf of the Government. The Court has reviewed the file, has heard from counsel, and is fully informed. This Order is entered to memorialize the oral rulings of the Court.

Before the Court is Defendant's oral Motion to Continue Trial. Defendant moves for a continuance to allow additional time to investigate this case and to

1 obtain and review discovery. The Government does not object to a continuance in  
2 this matter.

3 The Court finds that the ends of justice served by the granting of a  
4 continuance of the trial in this matter outweigh the best interests of the public and  
5 Defendant in a speedy trial. A trial date of October 15, 2019, would deprive defense  
6 counsel of adequate time to obtain and review discovery and provide effective  
7 preparation, taking into account the exercise of due diligence. 18 U.S.C. §  
8 3161(h)(7). Accordingly, **IT IS HEREBY ORDERED:**

9 1. Defendant's oral Motion to Continue Trial is **GRANTED**.

10 2. The current trial date of October 15, 2019, is **STRICKEN** and **RESET**  
11 to **March 2, 2020**, at **8:45 a.m.** commencing with a **final** pretrial conference at **8:30**  
12 **a.m.** All hearings shall take place in **Spokane**, Washington.

13 3. A pretrial conference is set for **February 13, 2020**, at **10:00 a.m.**

14 4. Counsel for defense shall notify Defendant of all hearings and ensure  
15 his/her attendance at court.

16 5. Motions to Expedite, if any, shall be filed separately and noted for  
17 hearing two (2) days from the date of filing, after informing opposing counsel of  
18 such.

19 6. Discovery motions, pretrial motions, and motions in limine shall be filed  
20 by **January 23, 2020**; responses are due **January 30, 2020**; and replies are due  
21

**February 6, 2020.** Counsel shall note their motions for hearing at the pretrial conference on **February 13, 2020.**

7. Trial briefs, requested voir dire, witness lists, jointly proposed jury instructions, and a table of proposed jury instructions shall be filed and served by **February 21, 2020** for the Court's consideration.

(a) The jointly proposed jury instructions should address only issues that are unique to this case and shall include instructions regarding the elements of each count, any necessary definitions, and a proposed verdict form.

(b) The parties shall provide the Court electronically with a table of proposed, cited jury instructions. This table shall include:

(i) The instructions on which the parties agree;

(ii) The instructions that are disputed; and

(iii) The basis of any objection.

(iv) The jury instruction table shall be substantially in the following form:

Proposed by	Instruction #	9th Cir. Cite	Objection	Response to objection
-------------	---------------	---------------	-----------	-----------------------

(c) In addition to the jury instruction table, each party shall address any objections they have to instructions proposed by any other party in a memorandum filed by **February 21, 2020**. The parties shall identify the specific portion of any proposed instruction to which they object supported by legal authority that supports the objection. Failure to file an objection to any

instruction may be construed as consent to the adoption of an instruction proposed by another party.

**8. *Pretrial Exhibit Stipulation***

(a) The parties shall prepare and file, by **February 21, 2020**, a pretrial exhibit stipulation that contains each party's numbered list of all trial exhibits with the opposing party's objections to each exhibit, including the basis of the objection and the offering party's brief response. All exhibits to which there are no objections shall be deemed admitted, subject to any objections at trial that could not be raised in advance. Failure to comply with this paragraph could be deemed to constitute a waiver of all objections. Do not submit blanket or boilerplate objections to the opposing party's exhibits. These will be disregarded and overruled.

(b) The pretrial exhibit stipulation shall be substantially in the following form:

**Pretrial Exhibit Stipulation**

**Plaintiff's/Defendant's Exhibits**

<b>Exhibit No.</b>	<b>Description</b>	<b>If Objection, State Grounds</b>	<b>Response to Objection</b>
--------------------	--------------------	------------------------------------	------------------------------

(c) Exhibits shall be pre-marked with the exhibit numbers that will be used at trial. Plaintiff's trial exhibits are to be numbered 1 through 199, and Defendant's exhibits are to be numbered 200 and following.

1 (d) Objections to exhibits and witnesses shall be heard at the final pretrial  
2 conference.

3 **9. Trial Procedures**

4 The following procedures shall be utilized at trial:

5 (a) The Court utilizes JERS (Jury Evidence Recording System) to allow  
6 evidence admitted for a trial to be viewed electronically via touchscreen  
7 monitor in the jury deliberation room upon the conclusion of the trial. Please  
8 note that the jury will receive a verbatim copy of the JERS exhibit list. Please  
9 carefully review and follow the instructions provided.

10 [JERS Instruction Sheet for Attorneys](#)

11 (b) The Court will conduct the majority of jury voir dire but allow counsel  
12 fifteen minutes to ask additional questions or to do more in depth exploration  
13 of issues raised by the Court;

14 (c) A total of thirteen jurors will be selected. Plaintiff shall have six  
15 peremptory challenges, Defendant shall have ten peremptory challenges, and  
16 each party shall have one challenge for the alternate juror. Fed. R. Crim. P.  
17 24. The challenges shall be exercised alternately;

18 (d) Regular trial hours shall be from 8:45 a.m. to 12:00 noon, and 1:15 to  
19 4:30 p.m.;

20 (e) The jurors will be provided with notebooks for note-taking and a copy of  
21 preliminary instructions;

1       **(f)** Documents published to the jury by counsel shall be collected at the  
2 conclusion of trial each day or following a witness's testimony regarding the  
3 published document;

4       **(g)** A single photograph shall be taken of all witnesses following their  
5 testimony for use by the jury to correlate a witness with the testimony he or  
6 she provided. The photographs shall be maintained in a three-ring binder by  
7 the Court. The photograph will have the witness's name on it and the date of  
8 the witness's testimony. The photographs will be provided to the jury to assist  
9 them during deliberations. Following deliberations, the photographs will be  
10 destroyed by the Court and will not be a part of the record;

11       **(h)** Examination of witnesses shall be limited to direct, cross, redirect and  
12 recross. Fed. R. Evid. 611(a);

13       **(i)** Counsel are encouraged to limit requests for sidebars by anticipating  
14 legal and evidentiary issues so that the issues may be addressed before trial  
15 begins each day, during the lunch hour, or after trial hours;

16       **(j)** During trial, counsel are encouraged to exchange lists of the next day's  
17 witnesses and exhibits so that objections or legal issues may be anticipated  
18 and resolved outside the normal trial hours;

19       **(k)** Counsel shall have the next witness to be called to testify available  
20 outside the courtroom, to avoid delay; and  
21

